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11 *Attorneys for Defendant*
C. R. Bard, Inc. and

12
13 **IN THE UNITED STATES DISTRICT COURT**
14 **FOR THE DISTRICT OF ARIZONA**

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16 IN RE: Bard IVC Filters Products Liability MDL NO. 15-02641-PHX-DGC
17 Litigation

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19 **DEFENDANT C. R. BARD, INC.'S**
ANSWER AND GENERAL DENIAL
WITH RESPECT TO CASE NO.
CV-17-00579-PHX-DGC; JURY TRIAL
DEMAND

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21 Defendant C. R. Bard, Inc. ("Bard" or "Defendant") hereby files this Answer and
22 General Denial with Respect to *Michelle Valentine, individually and as Successor in Interest*
23 *of the Estate of Scott Valentine v. C. R. Bard, Inc., et al.*, AZ Member Case
24 No. CV-17-00579-PHX-DGC ("Answer and General Denial"), served according to the
25 provisions and requirements of Amended Case Management Order No. 4 (Doc. 1108).
26 Defendant further reserves the right to file any motion to dismiss for failure to state a claim
27 with respect to this case, as set forth in Amended Case Management Order No. 4.
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With respect to the allegations plaintiff(s) raise in *Michelle Valentine, individually and as Successor in Interest of the Estate of Scott Valentine v. C. R. Bard, Inc., et al.*, AZ Member Case No. CV-17-00579-PHX-DGC, Defendant denies, generally and specifically, each and every allegation in plaintiff(s)' Complaint, the whole thereof, and each and every cause of action therein. Defendant further denies that the plaintiff(s) has sustained, or is entitled to recover, damages in any amount alleged or in any sum whatsoever. Defendant further denies that it is liable to the plaintiff in any amount, and further denies that the plaintiff has sustained injury, damage, or loss by reason of any act or omission by Defendant.

As for additional defenses, and without assuming any burden of pleading or proof that would otherwise rest on plaintiff(s), Defendant incorporates by reference the responses and Affirmative Defenses set forth in Defendants' Answer to Plaintiffs' Master Complaint filed in MDL 2641 on December 17, 2015 (Doc. 366). Defendant further reserves the right to raise such other affirmative defenses as may be available or apparent during discovery or as may be raised or asserted by other defendants in this case. Defendant has not knowingly or intentionally waived any applicable affirmative defense. If it appears that any affirmative defense is or may be applicable after Defendant has had the opportunity to conduct reasonable discovery in this matter, Defendant will assert such affirmative defense in accordance with the Federal Rules of Civil Procedure.

REQUEST FOR JURY TRIAL

Defendant C. R. Bard, Inc. demand a trials by jury on all issues appropriate for jury determination.

WHEREFORE, Defendant avers that the plaintiff(s) is/are not entitled to the relief demanded in the plaintiff(s)' Complaint, and this Defendant, having fully answered, pray that this action against it be dismissed and that it be awarded its costs in defending this action and that it be granted such other and further relief as the Court deems just and appropriate.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on February 28, 2017, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send notification of such filing to all counsel of record.

s/Richard B. North, Jr.
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